



**Charter Commission Minutes
Regular Meeting
Video Conference Via Google Meet / YouTube
1700 North Grand Avenue
Thursday, April 1, 2021 at 1:30 p.m.**

Call to Order

Commission Member Francisco Apodaca called the meeting to order at 1:30 p.m.

Roll Call

Present

Francisco Apodaca
Greg Salazar
Matt Martinez
Christine Ludi
Sandra Madrid
Lee Einer

Absent

Also Present

Darlene Arguello, Paralegal - City of Las Vegas

Approval of Agenda

Chairman Apodaca asked for a motion to approve the agenda.

Commissioner Martinez made a motion to approve the agenda.

Commissioner Ludi seconded the motion.

Motion passed unanimously.

Approval of Minutes

a. March 4, 2021 Meeting

Chairman Apodaca asked for a motion to approve the minutes of March 4, 2021.

Commissioner Ludi made a motion to approve the minutes of March 4, 2021.

Commissioner Madrid seconded the motion.

Motion passed unanimously.

Public Input

No public input was submitted.

Commissioner Martinez asked if there were limits on the amount of time for public input. Chairman Apodaca stated that they could discuss that with the discussion of the bylaws and set time limits and actually enter them as part of the bylaws.

Informational Items

City Council Meeting – March 17, 2021 – Status of Charter Commission Update/City Council Actions.

1. Charter Review

Chairman Apodaca and Vice Chairman Salazar attended the City Council Meeting on March 17, 2021 to discuss and update the Mayor and City Council on the Charter Review.

Discussion:

Chairman Apodaca advised the Commission that they discussed the intent of the Commission in regards to not doing a rewrite of the entire Charter but to possibly recommend revisions to parts of it in which the Mayor and Council were satisfied with that.

2. Term of Service

Discussion:

Chairman Apodaca advised that there had been a suggestion brought forth that the term of service would be through June 30th. He suggested to Mayor and Council that was not sufficient time to do what they had to do. He suggested a term to go through September 1st, in which the Mayor and Council agreed.

Chairman Apodaca also advised that the Mayor suggested a joint work session with the Council to get suggestions from them on the revisions to the Charter. He stated that there had to be a meeting set up and would like for Darlene to get with the City Clerk and get some proposed dates for setting up the meeting. Chairman Apodaca opened up the floor for comments and suggestions from the Commission on dates and times to meet.

Vice Chairman Salazar stated that he didn't know how much time people had to meet on weekends and suggested that maybe Mayor and Council could email their recommendations and suggestions on revisions.

Chairman Apodaca stated he liked that idea because it would give them time to reflect on them and go to constituents for their input. He also elaborated on the process that would have to happen if they had a joint meeting in regards to noticing the meeting and making it public and complying with the Open Meetings Act.

Chairman Apodaca stated that a message could get sent to the Mayor and Council either through Darlene or himself on the suggestion of sending their recommendations via email and if a joint session is needed, it could be set up at a later time.

Commissioner Martinez elaborated on the process that was done before with regard to the Charter Review and stated that Vice Chairman Salazar's approach was best. Commissioner Einer stated that he believes a face-to-face meeting was needed and elaborated as to why it would be more beneficial than back and forth emails. Commissioner Ludi agreed with Commissioner Einer and elaborated on her opinions and thoughts as to the interpretations. Commissioner Madrid agreed with Commissioner Einer and Commissioner Ludi.

Chairman Apodaca stated that they could work with both suggestions and listen to individual comments from the Council and digest them and then meet for clarification. He stated that individual comments from the Council would give them the opportunity to comment privately at first as to how they actually feel and then later they can all meet and bring forth all the suggestions for discussion.

Commissioner Martinez asked about the deadline for having the Charter Review completed and Chairman Apodaca responded that it would be September 1, 2021 but if more time would be needed they could request it. Discussion was held in regards to the deadline and why the dates had been set when they were to correspond with elections.

Commissioner Ludi asked for clarification as to which Charter document they were reviewing because two documents went out. Chairman Apodaca clarified that the first document that went out was a draft and the second that was approved in 2010 was the official Charter for review. Discussion was held in regards to which document was the official one for review and Commissioner Einer pointed out that as per Section 1.05 of the existing Charter their job is to review and propose amendments to the existing Charter.

Chairman Apodaca advised the Commission that at the Council meeting the Mayor addressed the appointment of the seventh (7th) member. He will be following up with the Mayor's office on when that is taking place.

Commissioner Martinez stated that they were still in need of an attorney for legal advice and elaborated as to why. Chairman Apodaca stated he would get a message to Council on the request.

Brief discussion was had as to the items that could go beyond the State requirements as far as being more stringent because we are a Home-Rule Charter and also on legal representation other than the City Attorney due to a conflict of interest because the City Attorney represents the Governing Body that they are recommending changes to.

Discussion Items

a. Review of Bylaws

Chairman Apodaca asked the Commission if there were any other changes to the bylaws besides the Term of Service and time limits on public input.

Commissioner Martinez elaborated on the process that the previous Charter Review Commission took in regards to holding public meetings in each Ward. He advised that the final document with recommended changes in the end goes before Mayor and Council and they would have a public hearing.

Discussion was held as to the process that could be taken for public meetings and input and the proposed changes to the Charter and what sections would be looked at for amendments.

Commissioner Ludi made a recommendation on the time limits of public input to be set at three (3) minutes. Commissioner Einer had a difference of opinion on the time limits. Lengthy discussion was held in regards to the time limits to be set for public input.

Chairman Apodaca stated that they can limit discussion to three (3) minutes of those items pertinent to the revisions of the City Charter. He also suggested adding in and modifying the terms of service at the next meeting as an action item and also the time limits on public input. Chairman Apodaca stated that at that time they can adopt the bylaws as an action item and there were no other revisions.

Commissioner Ludi briefly explained her why she made the recommendations she did on the time limits. Brief discussion was held regarding public input and sticking to the items on the agenda for that meeting.

b. Review of Current Charter Article I and Continuation

Vice Chairman Salazar opened up discussion as to Article I, Section 1.01 on the powers of home-rule municipality and can home-rule municipality be defined in several ways.

Chairman Apodaca and Commissioner Einer referred to Line 28 and Section D. Acceptance of Powers for clarification and self definition.

Commissioner Madrid stated that everyone should understand what they're reading and the definition should be at the beginning of the Charter and simplified.

Lengthy discussion was held on this section regarding the definition of home-rule and simplifying it and adding it to the beginning of the Charter in layman's terms and also leaving the legal language alone that's already incorporated in the Charter.

Commissioner Ludi asked if anyone knew if any constituents had challenged the Charter in regards to home-rule and if not then she suggested the language be left alone because it is as per the Constitution.

Commissioner Martinez elaborated on a challenge that was brought up and went to court just after the adoption and approval of the current Charter in 2010 by Attorney Danelle Smith but couldn't remember the parameters of it. He stated that the document won.

Commissioner Martinez suggested that the Commission should check with the City Clerk to see if anyone has made any proposed amendments on the Charter in the last ten (10) years. Chairman Apodaca agreed and stated that next meeting they would invite the City Clerk for these questions and clarification.

Commissioner Martinez elaborated on the process of changing and making amendments to a Charter.

The Commission moved on with no changes to Article I, Sections 1.01 through 1.05 with the exception of Section 1.04 (C) and those items thereafter that will be reserved until there is clarification from the City Clerk. They will also get a copy of Chapter 3 Article 15 Municipal Charters and get it to all Commission Members for their review and education.

Chairman Apodaca opened up discussion on Article II, Sections 2.01 through 2.08 and stated that he had a couple of things on these sections and needed to be visited. Lengthy discussion was held regarding the original Charter and the number of Councilors there was and the affects of that.

Chairman Apodaca turned over the floor to Vice Chairman Salazar to continue the meeting. Vice Chairman Salazar asked if anyone had anything further on Article II or if they should keep the discussion open for the next meeting.

Commissioner Einer proposed they keep it open and opened discussion on two sections of Article II that needed to be addressed with regard to rules of procedure and ordinances. Brief discussion was held in regards to those topics with regard to nothing being wrong with the Charter language itself in those sections, only that it hasn't been acted on.

Vice Chairman tabled the discussion on Article II for the next meeting. All agreed.

Other Business

No other business.

Adjournment

Commissioner Martinez made a motion to adjourn the meeting.

Commissioner Einer seconded the motion.

Motion to adjourn passed.

Meeting adjourned at 3:40 p.m.



Commission Chair Apodaca

4/27/2021

Date